

**BOARD OF SELECTMEN  
MEETING MINUTES  
THURSDAY, MAY 26, 2005  
ABLONDI ROOM**

**Attendance:** Katherine E. Murphy, Chair; John H. Stasik, Vice-Chair; Charles J. Sisitsky, Clerk; A. Ginger Esty, Member; Dennis L. Giombetti, Member

**Staff:** George P. King, Jr., Town Manager; Mark J. Purple, Assistant Town Manager; Matthew A. Romero, Executive Assistant

The Chair called the meeting to order at 6:30 PM.

Public Participation

*Mr. Roger Sturgis*

Mr. Sturgis spoke about local businesses and their need to hire immigrant labor. He gave a background on his business and his utilization of immigrants in his workforce. He explained the difficulties of being an honest business, and emphasized that illegal immigration was not an honest business practice. Ms. Murphy informed him that the new public participation policy was designed to discuss matters within the purview of the Board. Ms. Esty opined that perhaps Mr. Sturgis was bringing something to the Board that was within its purview. She asked if he had any knowledge of how businesses were registering vehicles illegally in the Town. Mr. Giombetti pointed out that the new policy should be posted to inform the public of the new format and procedure. Ms. Esty requested that information be requested from the collector's about vehicles registered under nonprofit businesses.

*Mr. Doug Freeman*

Mr. Freeman announced that the Flag Day parade would continue on this year, and announced the order of events. The Board thanked Mr. Freeman for his work on the Flag Day Parade.

Consideration of a request for an Entertainment License and Sunday Entertainment License for Amazing Arts Center (55 Nicholas Road)

Mr. Michael Moran, Executive Director of the Amazing Things Arts Center (ATAC) was present to discuss the license. Mr. Moran admitted that all of the sign-offs had not been received yet, but asked for the Board's support contingent upon the final approval from the Fire Department (FD) and the Board of Health (BOH). Mr. Moran discussed the ATAC and its mission. Mr. Moran noted that the BOH and the Building Department had been very helpful throughout the whole process. Mr. Sisitsky made the motion to approve the license contingent upon final approval from all relevant Town departments, and Mr. Stasik seconded for discussion. Mr. Stasik confirmed that voting contingent was a practice of the Board.

MOVED: To approve the licenses contingent upon the final approval of all relevant Town departments.

Motion: Mr. Sisitsky

Second: Mr. Stasik

VOTE: 5 – 0

Consideration of a request for a 24-hour license renewal for Walgreen's (653 Worcester Road)

The store manager was present to discuss the request. He confirmed that Walgreen's had had a 24-hour license since 1993. Mr. Sisitsky pointed out that Lt. Trask had recommended approval.

MOVED: To approve the renewal of the 24-hour license for Walgreen's.

Motion: Mr. Sisitsky

Second: Mr. Giombetti

VOTE: 5 – 0

Consideration of a request for a sidewalk sale for Asian Import (32 Union Avenue)

Mr. King confirmed that the request was a routine annual request, and Mr. Murphy pointed out that the Police had made its usual recommendations.

MOVED: To approve the request for a sidewalk sale for Asian Import as requested.

Motion: Mr. Sisitsky

Second: Ms. Esty

VOTE: 5 – 0

MAPC Presentation – Mr. Martin Pillsbury

Mr. Pillsbury thanked the Board for inviting him. He explained that he would be discussing a recent study of the water quality around Lake Cochituate, which he distributed to the Board. He made a slideshow presentation about the lake and the various water sources in the entire watershed, including the land area in the tributary streams. Mr. Pillsbury discussed particular sites of concern, including the location of previous salvage yards. The former site of General Motors, now Adesa, was discussed in the report as well as an example of a site that would need to be retrofitted. Mr. Sisitsky pointed out that the towns of Natick and Framingham had entered into a joint project to install gates to collect trash flowing downstream. Mr. King noted that the storm water funding for the beaches was included in the capital budget for this year. Mr. Sisitsky expressed concerns that the Massachusetts Turnpike Authority (MTA) was not compliant with its Phase II storm water responsibilities. He suggested that as a regional planning agency the MAPC could push for the matter further. Mr. Pillsbury noted that recently the MTA had sent a representative to a seminar MAPC had held who stated she was working on Phase II compliance. Mr. Pillsbury stressed that public education was extremely important to moving forward with protecting MetroWest's valuable water resources. Mr. Pillsbury responded to an inquiry from Ms. Esty by explaining that he was unsure the Town could enforce compliance on its own, but it could alert the state and federal agencies to problems it found. However, the lists were long to investigate reported sites. Mr. Pillsbury offered to provide informational brochures and templates for the Town to follow in adopting various local community based initiatives.

Overview of 3-Year Financial Plan

Mr. King updated the Board on the status of the 3-Year Financial Plan, explaining that the project had been hampered by the lack of a CFO, but that it was nearing completion.

The goal of the presentation was to give the Board a pre-publication preview of trends and assumptions, provide broad indicators of numbers, and receive feedback to incorporate into final product.

The challenges of forecasting included the use of realistic assumptions, economic changes, and the political environment and its impact upon the local budget. The best use of a forecast was to utilize as a snapshot of the future, but it was important to make it interactive, and recognize that the projections are potential and not definitive per se. For revenue, property tax was the easiest to define, but new growth was more difficult. State aid was also very sensitive, and utilized a projection of a 5% Chapter 70 growth. However, in recent years, there had been no Chapter 70 growth, and the phase in of the lottery and additional PILOT funding could impact the projections as well. Local receipts had been evaluated by category, but it was one of the most difficult issues to predict. The bottom line shows an increase of 2.5-3%. Other revenues included enterprise funds at 5%, free cash of \$1.5M, and stabilization fund of \$100K in FY2007. Considerations on new revenue included that property tax would be contingent upon new growth, Chapter 70 is unpredictable, charter school formula could fluctuate, the local receipt increase had not been historically justified, and future utilization of free cash would impact the projections as well. Fixed costs included property insurance (projected at 15%), workers compensation (projected at 5%), health insurance (projected at 12%), unemployment (projected as level), the reserve fund (projected as level), and retirement (following the current retirement schedule). He emphasized that the projections were including what he believed to be realistic figures, and not "wish list" or figures of goals. Debt service would take the current schedule and add \$5M per year in additional projects. He admitted this figure would probably change. Operating costs were driven largely by step and Cost of Living Adjustment (COLA) increases. Education was projected to increase by 5% per year, and Town departments by 3.5%. Main sensitivity points would be health insurance increases, debt service and capital expenses, and COLAs. He also explained that the projections assumed a level service projection with no new programs or initiatives included. He was excluding predictions of the water and sewer enterprise funds until after the water and sewer studies were completed to provide more accurate information. Mr. Sisitsky felt it would be important to distribute the 3-Year Plan as widely as possible after it was completed. Ms. Esty pointed out that most cities did not have overrides because they received sufficient funds from the State. She said it could be argued that this sufficient funding is a result of the money that the towns contributed to the State's distribution.

Mr. Robert Bowles asked for clarification about who the Board would be putting pressure upon, and Mr. King explained that state legislators would be targeted for help. Increased state aid was necessary to help with the future fiscal outlook. Mr. Giombetti was pleased that the Town would soon have a three-year financial plan. Ms. Esty asked if the Town was following the terms of the CFO Act for following the financial process, and Mr. King said that to the best of his knowledge it was. Mr. Sisitsky suggested asking the Moderator to allow a short presentation during Town Meeting. Mr. King felt unsure that the plan would have a large impact on the current budget being discussed, but would be very useful moving forward. Ms. Esty asked if any committees were waiting on any

information that would be voted soon. Mr. King explained that the relevant financial committees had been given the information they needed.

#### Policy Subcommittee Report

Ms. Murphy explained that this was a second reading of the Selectmen Reimbursement Policy, incorporating some of the minor changes discussed during the first reading.

MOVED: To adopt the proposed policy on Selectmen reimbursements.

Motion: Mr. Sisitsky

Second: Mr. Giombetti

VOTE: 5 – 0

#### Selectmen Goals

Ms. Murphy informed the Board that she and Mr. Giombetti had met to discuss the goals, but would present a further report at the next meeting.

#### Town Manager's Report

##### *Verizon*

Mr. King explained that he had pursued the inquiry of Ms. Esty about Verizon's solicitations, and confirmed that they were offering enhanced DSL service, not video cable service, and as such the Board could not issue a license.

##### *Public Works Department*

Mr. King informed the Board and the public about the DPW presentation being made Wednesday, June 1, 2005 in the Public Hearing Room.

##### *Air Quality*

Mr. King informed the Board and the public about the Police Department's seminar on idling vehicles being held at 9:00 AM on June 8, 2005 at the Police Station.

Mr. Giombetti asked about the appointments and Mr. King confirmed that they would be made on June 16, 2005.

Ms. Esty asked about the letter received from SMOC and expressed concern over their inability to send a representative to the social services summit. Mr. Romero informed the Board that the SMOC representatives had explained that the particular date selected was a problem, but that they had offered to attend another night. Mr. Stasik pointed out that the letter also suggested that other entities needed to be included in the impact upon the Town. Mr. Sisitsky explained that he had suggested the few social service agencies to focus upon the direct impact upon the neighborhoods, and then holding a second session that would address the broader impact upon the taxes and the Town.

Mr. Sisitsky explained that there seemed to be two options: either retain the current meeting schedule and ask SMOC to send another representative, or postpone the meeting to a later date that SMOC would be available. Ms. Esty thought that they should keep the current date and have questions ready to submit to SMOC. Mr. King said he had not heard from either Wayside or Advocates at this point. Mr. Giombetti explained that he

had suggested inviting the Salvation Army because some of the programs offered by the Salvation Army were connected to some of the programs being run by the other social service agencies. Mr. Stasik opined that the discussion should be as productive as possible, and that his own preference was to have the decision-makers for the social service agencies present. Mr. Sisitsky agreed and pointed out that the public would be invited to the meeting. Mr. Giombetti suggested asking the Manager to consult with the CEOs of the four agencies, and ask them to arrive at a common time within the next month. Mr. King explained that June 23, 2005 would have to be the target date due to the high volume of business scheduled for June 16, 2005. Ms. Esty suggested having questions submitted to the agencies in advance.

Ms. Esty drew the Board's attention to a letter the Board had received from an insurance agency with regard to the Howard Apartments, and a parking agreement with the Town. Mr. King explained that there were other issues with the lease besides the parking. Ms. Esty hoped that this parking arrangement was not connected to the possible extension of the train line. Mr. King assured Ms. Esty that the intent was to clean up the parking lot. Mr. Sisitsky asked to have Town Counsel give an update at a subsequent meeting.

#### Selectmen's Reports

##### *Mr. Stasik*

Mr. Stasik had scheduled a presentation with Ms. Donna Jacobs to discuss the Massachusetts Land Use Reform Act (MLURA). He was hoping the Board would support the act. He suggested June 23, 2005 for the presentation, as the meeting at the State House was on June 29, 2005. The MLURA was an attempt to amend the Dover Amendment. Ms. Esty asked if the apartments near the Esty House might be subject to the Dover Amendment. Mr. Sisitsky did not think it was a Dover Amendment issue, but perhaps a federal housing issue. Mr. Stasik asked if the Board could make a decision of how to proceed.

##### *Mr. Sisitsky*

Mr. Sisitsky attended the Traffic Roadway and Safety Committee recently, which would have a report for the Board at a subsequent meeting. The Public Works Advisory Committee had reviewed the preliminary water and sewer rates. The water and sewer study would impact next year's rates.

##### *Ms. Esty*

Ms. Esty asked if the Board could write to the Planning Board and the Building officials to help with the new low impact regulations to remind them that the Board is taking an interest. Ms. Esty asked to have the consultants come in to discuss the status of the drainage plans.

She pointed out that some equipment and vehicles might be registered under the umbrella of non-taxable entities such as churches. She also asked to look into the registration of the vehicles for Wayland Excavation because they parked in Framingham. Mr. King said he would look into the excise tax matter.

Ms. Esty was concerned that the Human Relations Commission had not been submitting minutes. Mr. Sisitsky suggested reminding the boards and committees of their obligations. Mr. King said he would send out letters to the various boards and committees.

Ms. Esty updated the Board on the MPO elections and informed them that she had been reelected to the Executive Board of the MAPC.

Ms. Esty asked to convene a TIP Committee. Mr. King said they try to get potential dates from Ms. Bartolini and Mr. Bertorelli for a TIP Committee including the PB Director, one representative from the PB, and the DPW Director. Mr. Stasik discussed the Route 126/135 intersection as related to the increased service to Worcester. He discovered that the funding for the project would be based on money left over from the mitigation commitments for the Big Dig. Mr. Stasik felt it was important to begin discussing the intersection again, so that the Town could be prepared once the time was ready to move on the intersection. Mr. Sisitsky suggested asking the DPW Director to update the preliminary plan and preliminary cost for the project.

Ms. Esty announced the events being planned for Memorial Day. Mr. Sisitsky commented that he was pleased to hear that Mr. Collin Kelly would be part of the ceremony, and suggested having him in and issuing a proclamation.

*Mr. Giombetti*

He had received a number of phone calls from residents who were concerned about the Winter Street SMOC project. He updated the Board on the benchmarking meeting that had been held earlier that day.

*Ms. Murphy*

Ms. Murphy informed the Board of the \$250K grant that was being awarded to the Town for the completion of Tercentennial Park, explaining how Secretary of Environmental Affairs Ellen Herzfelder had attended a ceremony earlier that day.

Ms. Murphy had attended the gala of the 30<sup>th</sup> anniversary of the Danforth Museum as well.

The first meeting of the Citizen's Advisory Committee to the Housing Policy Subcommittee had been held the night before, and had been a success as a starting point.

She announced that Lieutenant Governor Healey was holding a meeting to discuss the governor's budget.

Ms. Esty wondered if the Board might consider renaming Tercentennial Park the Cushing Memorial Park or something similar.

She expressed concern over the lack of positive self-image of Framingham residents that she had heard at the meeting the previous evening. She suggested working on it from the Selectmen's standpoint.

MOVED: To adjourn at 10:10PM.

Motion: Mr. Sisitsky

Second: Mr. Giombetti

VOTE: 5 – 0

Respectfully submitted,

Charles J. Sisitsky, Clerk